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MAR 23 2004

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PLEASE DIRECT CORRESPONDENCE TO OUR WARRENTON OFFICE

FACSIMILE TRANSMISSION COVER SHEET

DATE: March 23, 2004

TO: Mail Stop Petition
Examiner Edward J. Cain
Group Art Unit 1714
Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

RE: U.S. Patent Application No. 09/828,275
Entitled: CONDUCTIVE POLYMER COMPOSITIONS AND
ARTICLES CONTAINING SAME
Our Ref: 01030 (3600-347)

FROM: Luke A. Kilyk, Esq.

FAC. TEL. NO.: 1 (703) 872-9306

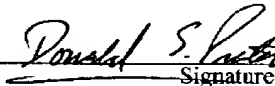
NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 4

Items Attached: Request for Correction of Patent Term Adjustment – 2 pages
Fee Transmittal – 1 page

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-872-9306 on March 23, 2004.

Donald Prater

Name of Person signing Certificate


Signature

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PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

Complete if Known

Application Number	09/828,275
Filing Date	April 6, 2001
First Named Inventor	Thielen et al.
Examiner Name	Edward J. Cain
Art Unit	1714
Attorney Docket No.	01030 (3600-347)

TOTAL AMOUNT OF PAYMENT (\$) 200.00**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account
 Deposit Account Number: 03-0060
 Deposit Account Name: Cabot Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20**=	X	
Multiple Dependent	-4**=	X	

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

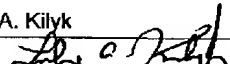
Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) Request for Patent Term Adjustment

\$ 200.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)**(\$)** 200.00**SUBMITTED BY**

Name (Print/Type)	Luke A. Kilyk	Registration No. (Attorney/Agent)	33,251	Telephone	1-540-428-1701
Signature				Date	March 23, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-872-9306 on March 23, 2004.

Donald S. Prater

Name (Print)

Signature

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Donald S. Prater
Name (Print)

Donald S. Prater
Signature

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Thielen et al.)	Examiner: Edward J. Cain
)	
Application Number: 09/828,275)	Group Art Unit: 1714
)	
Filed: April 6, 2001)	Confirmation No.: 6337
)	
Docket No.: 01030 (3600-347))	

OFFICIAL

For: CONDUCTIVE POLYMER COMPOSITIONS AND ARTICLES CONTAINING SAME

APPLICATION FOR PATENT TERM ADJUSTMENT
(REQUEST FOR CORRECTION OF PATENT TERM ADJUSTMENT)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 23, 2004

Sir:

A request for reconsideration is respectfully requested of the Patent Term Adjustment. This request is made prior to payment of the Issue Fee. The "Determination of Patent Term Adjustment under 35 U.S.C. § 154(b)" accompanying the Notice of Allowance dated December 24, 2003, indicates a patent term adjustment of 130 days. Based on the undersigned's review, it is respectfully submitted that this calculation is incorrect. Accordingly, the undersigned respectfully requests, pursuant to 37 C.F.R. § 1.705 that the Patent and Trademark Office correct the Patent Term Adjustment to 160 days as explained below.

The above-identified application was filed on April 6, 2001 and a first Office Action on the merits was not received until March 12, 2003, 279 days in excess of the allowed fourteen months after the date on which the application was filed. (see 37 C.F.R. §§ 1.702(a)(1) and 1.703(a)(1)). The applicants responded to the first Office Action on September 12, 2003, 92 days in excess of the

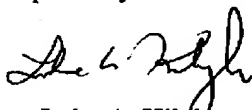
U.S. Patent Application No. 09/828,275
Request for Correction of Patent Term Adjustment dated March 23, 2004

allowed three months, under 37 C.F.R. § 1.704(b).

Additionally, on June 5, 2001, the U.S. Patent and Trademark Office issued a Notice to File Missing Parts of Non-provisional Application. On October 2, 2001, the applicants filed a Response to Notice to File Missing Parts, 27 days in excess of the allowed three months, under 37 C.F.R. § 1.704(b). The U.S. Patent and Trademark Office indicates that applicants have delayed 57 days for the late filing of the Response to Missing Parts, but according to 37 C.F.R. § 1.704(b), the delay should only be calculated after 3 months from the date of the Notice to File Missing Parts. Therefore, instead of 57 days, the delay by applicants is 27 days. Thus, the U.S. Patent and Trademark Office's calculation of applicants delay is incorrect. Therefore, it is respectfully submitted that the Patent Term Adjustment should be 160 days ($279 - (92+27) = 160$). The present application is not subject to any terminal disclaimer. The circumstances of applicants' delay under 37 C.F.R. § 1.704 is set forth above.

The Commission is hereby authorized to charge the patent term adjustment fee under 37 C.F.R. § 1.18(e), in the amount of \$200.00 to Deposit Account 03-0060. In the event any other fees are deemed necessary, the Commissioner is hereby authorized to charge or credit any overpayment of fees to said Deposit Account.

Respectfully submitted,



Luke A. Kilyk
Reg. No. 33,251

Atty. Docket No. 01030 (3600-347)
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